

JAN 10 2007

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

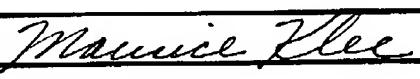
Total Number of Pages in This Submission

Application Number	10/089,831
Filing Date	April 4, 2002
First Named Inventor	Levin
Art Unit	3767
Examiner Name	M. Hayes
Total Number of Pages in This Submission	24
Attorney Docket Number	BET-105US

ENCLOSURES (Check all that apply)

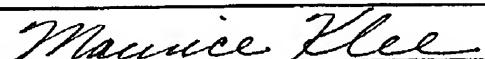
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC						
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences						
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)						
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information						
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter						
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):						
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer							
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund							
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD. Number of CD(s) _____							
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD							
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53								
<table border="1"> <tr> <td>Remarks</td> <td>ATTENTION: MAIL STOP AF</td> </tr> <tr> <td colspan="2">Papers transmitted herewith:</td> </tr> <tr> <td colspan="2"> 1. Transmittal Form (PTO/SB/21; 1 page; this page) 2. Fee Transmittal (PTO/SB/17; 1 page; 2 copies) 3. Amendment After Final Rejection (21 pages) </td> </tr> </table>			Remarks	ATTENTION: MAIL STOP AF	Papers transmitted herewith:		1. Transmittal Form (PTO/SB/21; 1 page; this page) 2. Fee Transmittal (PTO/SB/17; 1 page; 2 copies) 3. Amendment After Final Rejection (21 pages)	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Maurice M. Klee, Ph.D.		
Signature			
Printed name	Maurice M. Klee, Ph.D.		
Date	January 10, 2007	Reg. No.	30,399

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Maurice M. Klee, Ph.D.	Date	January 10, 2007

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 10 2007

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1200.00)

Complete if Known

Application Number 10/089,831

Filing Date April 4, 2002

First Named Inventor Levin

Examiner Name M. Hayes

Art Unit 3763

Attorney Docket No. BET-105US

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order None Other (please identify): _____ Deposit Account Deposit Account Number: 11-1158 Deposit Account Name: Maurice M. Klee, Ph.D.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments
under 37 CFR 1.16 and 1.17

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	
				Fee (\$)	Fee (\$)
40 - 40	XXXXx HP = 0	0	x _____ = _____	50	25
HP = highest number of total claims paid for, if greater than 20.				200	100
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	360	180
10 - 4	XXXXx HP = 8	200	x 1200 = _____		
HP = highest number of independent claims paid for, if greater than 3.					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
100	0	/ 50 = _____ (round up to a whole number) x _____ = _____		

4. OTHER FEE(S)

Non-English Specification. \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY		Registration No. 30,399 (Attorney/Agent)	Telephone (203) 255-1400
Signature	<i>Maurice Klee</i>		
Name (Print/Type)	Maurice M. Klee, Ph.D.	Date	January 10, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 10 2007

[279] Attorney Docket No. : BET-105US

MAIL STOP AF- PATENT

Response Under
 37 CFR §1.116
 Expedited Procedure
 Examining Group 3763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nathan W. Levin, Daniel Schneditz, and Fansan Zhu
 Serial No. : 10/089,831
 Filed : April 4, 2002
 For : METHODS AND APPARATUS FOR MEASURING THE
 VOLUME OF FLUID IN THE PERITONEAL CAVITY
 Examiner : M. Hayes
 Group : 3763

AMENDMENT AFTER FINAL REJECTION

This Amendment After Final Rejection is submitted in response to the final
 Office Action dated October 10, 2006. Its contents are:

- (1) a listing of the claims of the application which includes the amendments
 to the claims being made by this amendment -- page 2; and
- (2) applicant's Remarks -- page 20.

No extension of time is believed to be necessary for the filing of this
 Amendment, but if an extension of time is required, applicants request that this be
 considered a petition therefor. The Director is hereby authorized to charge any fees
 which may be required for such an extension to Deposit Account No. 11-1158.

01/11/2007 NNGUYEN1 00000004 111158 10089831
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